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Flavio Valerio Marin Hernandez
Cerrada 8 #2241-27
Residencial Patria
45150
ZAPOCAN, JALISCO, MEXICO

In re Application of
HERNANDEZ
Serial No.: 10/506,800
PCT No.: PCT/MX02/00020
Int. Filing Date: 13 March 2002
Priority Date: None
Atty. Docket No.: None
For: INFLATABLE TOY AND PRODUCTION
METHOD THEREOF

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: DECISION ON
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: DECLARATION
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This is in response to applicant's declaration filed in the United States Patent and Trademark Office, PCT Legal Office, on 26 September 2006.

A review of the application file reveals that the request for entry into the U.S. national stage was filed on 07 September 2004 along with an executed declaration. The published international application PCT/MX02/00020 listed the sole inventor's name as Flavio Valerio Marin Hernandez. The executed declaration identifies the inventor as Flavio Valerio Marin but the declaration was executed as Flavio Marin Hernandez.

On 31 March 2006, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed to applicant indicating that the declaration was not executed in accord with 37 CFR 1.66 or 1.68 as the name of the inventor listed on the declaration did not correspond to the inventor's name listed on the published application.

On 30 June 2006, applicant submitted a statement declaring that his name is Flavio Valerio Marin Hernandez, which was accompanied by a notary's statement that Flavio Marin Hernandez appeared before him.

On 25 August 2006, a decision was mailed indicating that the statement did not satisfy the requirements of 37 CFR 1.66 or 1.68 and thus, the declaration was unacceptable.

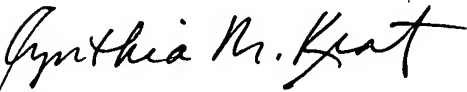
The declaration submitted on 26 September 2006 identifies the inventor's name as listed on the published international application, that is, Flavio Valerio Marin Hernandez and identifies the inventor's mailing address, citizenship and residency. However, the declaration is not executed and thus is not in compliance with 37 CFR 1.497(a) and (b).

CONCLUSION

For the reasons stated above, the unexecuted declaration submitted on 26 September 2006 is unacceptable.

Applicant has ONE (1) month from the mail date of this decision within which to reply or the time remaining under the Notification of Missing Requirements, whichever is longer.

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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